

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

EZEKIEL DAVIS,	)	
	)	
Plaintiff,	)	
vs.	)	NO. CIV-12-0330-HE
	)	
CARL BEAR, <i>et al.</i> ,	)	
	)	
Defendants.	)	


**ORDER**

Plaintiff, a state prisoner appearing *pro se* and *in forma pauperis*, filed this action pursuant to 42 U.S.C. § 1983 against various state employees seeking to recover for alleged constitutional violations. Consistent with 28 U.S.C. §636(b)(1)(B), the matter was referred to Magistrate Judge Gary M. Purcell, who recommends that plaintiff's request for injunctive relief be denied.

The magistrate judge concluded plaintiff had not made any of the showings required to obtain a temporary restraining order or preliminary injunction. Plaintiff failed to object to the Report and Recommendation and thereby waived his right to appellate review of the factual and legal issues it addressed. United States v. One Parcel of Real Property, 73 F.3d 1057, 1059-60 (10th Cir. 1996). *See* 28 U.S.C. § 636(b)(1)(C). Accordingly, the court adopts Magistrate Judge Purcell's Report and Recommendation and **DENIES** plaintiff's motion for a temporary restraining order [Doc. #10].

**IT IS SO ORDERED.**

Dated this 20th day of July, 2012.



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JOE HEATON  
UNITED STATES DISTRICT JUDGE